

FORMATTING NOTE:

In initiatives, legislative bills and other proposed measures, language that is to be deleted from current statutes is represented by a "strikethrough" character and language that is to be added is underlined. Because these special characters cannot be formatted in all Internet browsers, a different set of symbols is used for presenting these proposals on-line. The symbols are as follows:

- Text that is surrounded by (({- text here -})) is text that will be DELETED FROM the existing statute if the proposed measure is approved.
- Text that is surrounded by {+ text here +} is text that will be ADDED TO the existing statute if the proposed measure is approved.
- {+ NEW SECTION+} (found at the beginning of a section or paragraph) indicates that ALL of the text in that section will become law if the proposed measure is approved.

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INITIATIVE 702

AN ACT Relating to labor unions; and adding new sections to chapter 49.36 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

{+ NEW SECTION. +} Sec. 1. Bill of rights for members of labor organizations. Any labor organization operating in the state shall include in its constitution provisions guaranteeing members of the organization the following democratic rights:

(1) Right to free speech and assembly. All members have the right to meet and assemble freely with other members, and to express any view, argument, or opinion inside and outside meetings of the labor organization, about policies or activities of the organization, and about officers or candidates for election to office in the organization;

(2) Right to equal participation. All members have equal rights and privileges within the organization to nominate candidates; to vote in elections, referendums, and on the approval of collective bargaining agreements; to attend meetings convened at least every three months; and to participate in the deliberations upon and voting on the business of such meetings, subject to reasonable rules and regulations provided in the constitution;

(3) Right to know. All members have the right to be fully and fairly informed on all matters subject to vote by the members, and all members shall have full and fair opportunity to present their views on such matters;

(4) Right to fair procedures. No member or officer may be fined, suspended, expelled, or otherwise disciplined or disadvantaged for any conduct other than nonpayment of dues unless he or she has been: (a) Served with specific charges; (b) given reasonable opportunity to prepare a defense; and (c) afforded a full and fair hearing before an impartial tribunal;

(5) Right to fair representation. All members have the right to be fairly and equally represented in the negotiations of collective agreements, to have their meritorious grievances fairly processed, and to have their rights under a collective agreement enforced; and

(6) Right to vote on collective agreements. All members have the right to vote on collective agreements applicable to their conditions of employment, to be fully and fairly informed of the contents of the

proposed collective agreement, and to present their views on the proposed agreement.

{+ NEW SECTION. +} Sec. 2. Direct membership election of officers and representatives processing grievances. Any labor organization operating in this state shall provide in its constitution that election of its officers, and those representatives who process grievances, shall be by secret ballot among the members of their respective constituencies. The constitution of local labor organizations and intermediate bodies, such as general committees, system boards, joint boards, or joint councils shall provide for the direct election of officers and of such representatives not less often than once every three years, and the constitution of national or international labor organizations shall provide for the direct election of officers and of such representatives not less often than once every five years.

{+ NEW SECTION. +} Sec. 3. Fair and open elections. Constitutional provisions concerning the conduct of elections shall contain provisions guaranteeing every candidate a full and fair opportunity to campaign for office and guaranteeing that the election will be fair and honest. The constitution shall provide for the following rights of candidates and standards:

(1) The rights, protections, and standards set forth in section 401 of the Labor Management Reporting and Disclosure Act of 1959;

(2) The right of every candidate to have a fair and equal opportunity to present himself or herself and views in any publications circulated at the expense of the labor organization;

(3) The right of any group, caucus, or party, showing support of at least five percent of the membership to have mailed at its expense and at the time it so designates any literature to the members of the labor organization; and

(4) The right of any group, caucus, or party presenting candidates to have its candidates identified as a slate on the ballot.

{+ NEW SECTION. +} Sec. 4. Accountability of officers of the labor organization. Any labor organization operating in the state shall include in its constitution provisions requiring its officers and representatives to be accountable to its members in the conduct of its affairs, including provisions for the following:

(1) Funds and assets of the organization shall be used for the purposes of the labor organization and in accordance with the authorization of its members;

(2) Officers and other representatives or agents of the organization have fiduciary obligations toward the labor organization and to avoid conflicts of interest with the organization;

(3) Each member shall be provided at least once every year a financial report showing all assets, sources, and amounts of income and expenditures as required by Title II of the Labor Management Reporting and Disclosure Act of 1959; and

(4) Each member has the right, upon showing of proper cause, to inspect the financial records and other papers, books, and records of the organization and to be given copies of the organization's constitution and bylaws and any collective bargaining agreement applicable to the member's terms and conditions of employment.

{+ NEW SECTION. +} Sec. 5. The term "labor organization" includes any membership organization of public or private employees that engage in or exercise substantial control over negotiation or administration

of collective agreements, establishing membership dues or expenditure of organization funds, and any organization or body that has chartered a local or subsidiary body that engages in such activity.

{+ NEW SECTION. +} Sec. 6. Labor organizations shall comply with the requirements of sections 1 through 6 of this act by January 1, 2004, or within ninety days after any convention or meeting at which constitutional amendments can be proposed or enacted.

{+ NEW SECTION. +} Sec. 7. Captions used in this act are not any part of the law.

{+ NEW SECTION. +} Sec. 8. Sections 1 through 7 of this act are each added to chapter 49.36 RCW.

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